

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

FREIGHTLINER, LLC, a Delaware
limited liability company,

Plaintiff,

Civil No. 06-1595-ST

v.

SABINA VIERU; CROSS COUNTRY
EXPRESS, LLC, an Oregon corporation;
CTA INVESTMENTS, LLC, an Oregon
corporation; SIBIU INVESTMENTS, a
California corporation; and
JOSE F. GUERRERO,

SUMMARY JUDGMENT
ADVICE NOTICE TO *PRO SE*
DEFENDANT AND NOTICE TO
CORPORATE DEFENDANTS

Defendants.

The plaintiff has now filed a Motion for Summary Judgment (docket #130) against defendant Sabina Vieru on the Second, Third, and Eighth Claims for Relief for fraud, conversion, and breach of fiduciary duty. A motion for summary judgment under Rule 56 of the Federal Rules of Civil Procedure will, if granted, result in judgment being entered against Ms. Vieru on those claims.

Rule 56 tells you what you must do in order to oppose a motion for summary judgment. Generally, summary judgment must be granted when there is no genuine issue of material fact – that is, if there is no real dispute about any fact that would affect the result of your case, the party who asked for summary judgment is entitled to judgment as a matter of law, which will result in judgment in favor of plaintiff on those claims. When a party suing you makes a motion for summary judgment that is properly supported by declarations (or other sworn testimony), you cannot simply rely on your responsive pleadings (Defendants Sabina Vieru, Cross Country Express, LLC, and CTA Investments, LLC’s Answer and Affirmative Defenses and Demand for Jury Trial (docket #13)). Instead, you must set out specific facts in declarations, depositions, answers to interrogatories, or authenticated documents, as provided in Rule 56(e), that contradict the facts shown in plaintiff’s declarations and documents and show that there is a genuine issue of material fact for trial. If you do not submit your own evidence in opposition, then summary judgment, if appropriate, may be entered against you. If summary judgment is granted, judgment will be entered against you and there will be no trial.

In addition, the Notice of Attorney Withdrawal (docket #137) filed on March 25, 2011, notifies this court of the withdrawal of counsel for Cross Country Express, LLC, and CTA Investments, LLC. While individual defendant(s) may proceed *pro se*, corporate defendants can only appear in this court through an attorney.

DATED this 29th day of March, 2011.

/s/ Janice M. Stewart
 JANICE M. STEWART
 United States Magistrate Judge